1908-003 Chancery Causes: International Harvester Co. of America] vs. D. H. Parkey & Lee Co.

Tucker

CA-Debt
T-Property

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County:

Humbly complaining, your orator, the International Harvester Company of America, a corporation, organized under the laws of the State of Wisconsin, would respectfully represent and show unto your honor as follows: That on July 5th, 1905, Hugh Parkey, Sr., executed his note payable to your orator in the sum of $32.50, payable on or before the 1st day of October, 1906, with interest until paid from the 1st day of September, 1906.

And your orator would represent that when the said note became due and payable, the same was not then paid, nor had the same heretofore been paid, nor has the same since been paid.

And your orator would further represent and show unto your honor that the said Hugh Parkey since executing said note, has departed this life and his estate has passed to his children, who have failed neglected and refused to pay the said debt. The said Hugh Parkey left the following named children. H. T. Parkey, D.H.Parkey, Chas. Parkey, and Robt. Parkey, and that the estate of the said Hugh Parkey has been committed to W. Y. Tucker, Sheriff of Lee County. Your orator is informed and charges that D. H. Parkey, a citizen of Lee County, Virginia, has received several thousand dollars of the said estate, and your orator is informed that the other named children have also received considerable sums of money from said estate, all of whom refuses to discharge and pay off the debts of the said Hugh Parkey.

Your orator is not informed as to the exact date of the death of the said Hugh Parkey, but is informed that his death occurred about the latter part of the year 1906.

The object therefore of this bill is to marshal the estate of the said Hugh Parkey and ascertain who received the same, and require such persons as received said estate to contribute to the payment of the debts of the said Hugh Parkey, and to ascertain such other debts

as may be owing by the said Hugh Parkey, and to have any such creditors as may desire to come into this suit to contribute to the expense thereof in recovering the amount going to the various creditors, and to this end to have a Commissioner appointed to ascertain these facts.

The prayer therefore of your orator is that W. Y. Tucker, admr. of the estate, D. H. Parkey, H. T. Parkey, Chas. Parkey, and Robt. Parkey, be made parties defendant to this bill of complaint, and be required to answer the same, but not under oath, answer under oath being expressly waived. That the said defendants especially answer what of the estate of Hugh Parkey they received, either before or after his death, and how much and in what they received it. That a commissioner be appointed to ascertain the assets of said decedent, and into whose hands the same has passed, and that upon a final hearing, your orator be adjudged a judgement against such persons as received said estate for the amount of its said claim and the costs of this suit. And may all other further and general relief be granted your orator that the nature of its cause and good conscience requires. And it will ever pray &c.

Pennington Bros P.Q.

Costs:
Clerk $5.15
Atty. 15.00
Shff. 1.00
$21.15

Intersotinal Hor Co

vs. } Bill

D. H. Parkey et al

1908 2nd April Rules
Bill filed Spe. executed on D H Parkey and Wm Parkey & D.N. as to them legal service accepted by W. Y. Tucker, Admr. & D.N. as to him.

" 1st May Rules
D.N. confirmed as to D.H. Parkey, Wm Parkey & W. Y. Tucker, Admr. & cause set for hearing as to them.

International Harvester Company .....Plaintiff.

Vs. In Chancery.

D. H. Parkey and others .....Defendants.

This cause came on this day to be heard upon the bill of the complainant and its motion to dismiss said suit and was argued by counsel.

On consideration of all which said suit is dismissed on motion of the said plaintiff and the cause is stricken from the docket.

International Harvester Co

vs } Decree for

D H Parker et al

Entered in C.O.B.
#8, page 388

Enter this
May 13 —
1908
H A W Shum

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon W. J. Tucker, Administrator of the estate of Hugh Parkey, Sr., deceased, Hugh P. Parkey, Jr., D. N. Parkey, Charles Parkey, Robert Parkey, Wm Parkey

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in April, 1908, to answer a bill in chancery exhibited against them by International Harvester Company, of America, Incorporated,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 5th day of Feby, 1908, and 132nd year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

H. C. T. Ewing, Clerk

VS { SUBPŒNA IN CHANCERY

---p. q.

To---Rules

---Court

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_____, Clerk

International Harvester Co.

VS { SUBPŒNA IN CHANCERY

W. Y. Tucker, Admr. et al,

Pen. Bros., p. q.

To 2nd April Rules,

Circuit Court

1908.

Executed by Serving a true copy of the within on D H Parkey & Wm Parkey Service Excepted for my self this April 17 1908 W. Y. Tucker S. L. C

others not in county

Interrogatorio Honestidad

vs. } In Chancery

D. H. Parker et al

Texto -